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Dated: November 29, 2006 Signature: [Signature]
(Dawn Class)

Docket No.: GPCG-P01-297
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Caligiuri *et al.*

Confirmation No.: Not Yet Assigned

Application No.: 10/589,840

Art Unit: Not Yet Assigned

Filed: August 17, 2006

For: METHODS FOR TREATING RESISTANT
OR REFRACTORY TUMORS

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 C.F.R. § 1.97(b)(3)).

In accordance with 37 C.F.R. § 1.98(a)(2)(ii), Applicants have not submitted copies of U.S. patents and U.S. patent applications. Applicants submit herewith copies of foreign patents and non-patent literature in accordance with 37 C.F.R. § 1.98(a)(2).

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as

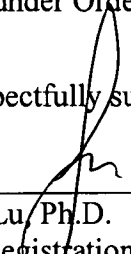
defined in 37 C.F.R. § 1.56(a) exists. In accordance with 37 C.F.R. § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 C.F.R. § 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. **18-1945**, under Order No. **GPCG-P01-297**.

Dated: November 29, 2006

Respectfully submitted,

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PTO/SB/08a/b (07-06)

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Complete if Known		
			Application Number	10/589,840	
			Filing Date	August 17, 2006	
			First Named Inventor	Maureen Caligiuri	
			Art Unit	N/A	
			Examiner Name	Not Yet Assigned	
Sheet	1	of	2	Attorney Docket Number	GPCG-P01-297

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
/A.P./	A1	6,025,473	02-15-2000	Deeley et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY			
/A.P./	B1	WO 04/105761 A1	12-09-2004	PHARMA MAR, S.A.U.		

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NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
/A.P./	C1	Beale et al., "Phase I study of oral JM216 given twice daily," Cancer Chemother Pharmacol., 42:142-148, (1998).		
/A.P./	C2	Cmelak et al., "Phase I Study of JM-216 with Concurrent Radiation in Non-Small Cell Lung Cancer and Squamous Cell Head and Neck Cancer," Proc. ASCO, Vol 18, page 1, (1999).		
/A.P./	C3	Fokkema et al., "Phase II Study of Oral Platinum Drug JM216 as First-Line Treatment in Patients with Small-Cell Lung Cancer," Journal of Clinical Oncology, 17(12):3822-3827, (1999).		
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Examiner Signature	/Anna Pagonakis/	Date Considered	08/06/2009
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		Examiner Name	Not Yet Assigned		
Sheet	2	of	2	Attorney Docket Number	GPCG-P01-297

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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